

TRULINCS 10579062 - STILLEY, OSCAR AMOS - Unit: YAZ-B-B

FROM: 10579062

TO:

SUBJECT: 2241\_Stilley2ndMtnExtTimeServe

DATE: 06/19/2019 10:55:19 AM

\* UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI

OSCAR STILLEY 10579-062

PLAINTIFF

V. 3:19-CV-6 HTW-LRA

MATTHEW WHITAKER ET AL

DEFENDANTS

PLAINTIFF'S SECOND MOTION TO EXTEND TIME TO SERVE PROCESS

Comes now Plaintiff Oscar Stilley (Plaintiff) and for his motion states:

1. The Magistrate previously extended time for service of process, to 7-12-19. Docket 11.
2. Plaintiff on or about 5-1-19 filed an appeal or motion for review of certain non-dispositive magistrate orders, including an order denying a motion to re-stack the exhibits to Plaintiff's complaint, so that the clerk's filemark headers and the Plaintiff's numbering and table of contents will agree with each other. Docket 12.
3. As of even date Plaintiff has not received any order on his appeal. Thus Plaintiff does not yet know if he will get IN FORMA PAUPERIS status. Plaintiff cannot know what exactly should be served on the Defendants, because he doesn't yet know if the exhibits to complaint will be restacked so as to be more convenient and user friendly for the Court, counsel, and parties. The interests of justice and judicial economy will be served by a ruling on said motion/appeal, prior to service. Plaintiff has no copy of the current filemarked complaint and exhibits, but it seems reasonable to ascertain the final form before considering whether or not Plaintiff will get a filemarked copy, etc.
4. Plaintiff respectfully requests an additional 3 months to serve process, up through and including Monday, 10-14-19. October 12 of 2019 is a Sabbath day, thus by operation of law a deadline would be the following Monday.
5. This motion is for legitimate reasons and not for purposes of delay. If IN FORMA PAUPERIS status is granted, the US Marshals will pursuant to rule effectuate service, which reasonably ensures that the service will be effectuated promptly regardless of the deadline.

WHEREFORE, Plaintiff respectfully requests an extension of time up through and including 10-14-19, to effectuate service of process; and such other and further relief as may be appropriate whether or not specifically requested.

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By: \_\_\_\_\_

Oscar Stilley  
FCC Yazoo City Low  
PO Box 5000  
Yazoo City, MS 39194

6-19-19

Date

CERTIFICATE OF SERVICE - PRISON MAILBOX RULE

Plaintiff by his signature above declares under penalty of perjury pursuant to 28 USC 1746 that on the date stated above he placed a copy of this pleading in the prison outgoing mail receptacle, with sufficient 1st class postage attached, addressed to the clerk of the court for filing and service (to the extent applicable) via CM/ECF.

